

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERVET INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 05-887- KAJ
)	
MERIAL LIMITED,)	
)	
Defendant.)	

AFFIDAVIT OF MAILING PURSUANT TO 10 DEL. C. § 3104

STATE OF DELAWARE)
) ss.
COUNTY OF NEW CASTLE)

BE IT REMEMBERED that on this 22nd day of May 2006, personally came before me, the subscriber, a Notary Public in and for the State and County aforesaid, Karen L. Pascale, an attorney for the Plaintiff, who being duly sworn according to law deposes and says:

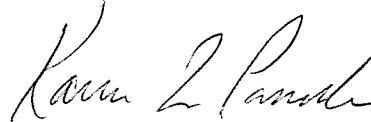
1. That the Defendant, Merial Limited, a company limited by shares registered in England and Wales, resides in the United States at its North American headquarters.

Merial, Ltd.
3239 Satellite Blvd.
Duluth, GA 30096
678-638-3805

2. Notice, consisting of a copy of the Complaint and Summons with executed Return of Service, together with the statement that service of the original of such process has been made upon the Secretary of the State of Delaware in accordance with 10 Del. C. § 3104, and that under that section such service is effectual to all intents and purposes as if it had been made upon the Defendant personally within the state, was sent by Registered Mail to the Defendant on May 8,


2006. The receipt obtained at the time of the mailing of the envelope containing the notice is the receipt attached hereto as **Exhibit A**.

3. The executed return receipt is attached as **Exhibit B**.
4. A copy of the notice referred to in Paragraph 2 is attached hereto as **Exhibit C**.



Karen L. Pascale
Delaware Bar No. 2903
kpascale@ycst.com

SWORN TO AND SUBSCRIBED before me this 22nd day of May, 2006.



Daphney Walker
Commission Expires Jan. 7, 2010

DAPHNEY RENEE WALKER
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Jan. 7, 2010

EXHIBIT A

Registered No.		Date Stamp
To Be Completed By Post Office	Reg. Fee	7.90
	Handling Charge	1.88
	Postage	1.87
	Received by	
	Customer Must Declare Full Value \$	<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance
OFFICIAL USE		
To Be Completed By Customer (Please Print) All Entries Must Be In Ballpoint or Typed	FROM	Alesha Walker VCST 1000 West St. 17th Floor Brandywine Building BOX 391 Wilmington DE 19801
	TO	Meriak Limited 3239 Satellite Blvd. Duluth, GA 30096
PS Form 3806, Receipt for Registered Mail May 2004 (7530-02-000-9051) For domestic delivery information, visit our website at www.usps.com		

Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).

PS Form 3806, May 2004, (Customer Copy - Reverse)

Declaration of Value: You must declare the full value of all Registered Mail articles at the time of mailing, whether you want to purchase insurance or not.

With Postal Insurance: You can purchase postal insurance against loss or damage by paying the appropriate fee.

Without Postal Insurance: You can also send an article by Registered Mail without purchasing postal insurance by paying the appropriate fee. No indemnity is paid for uninsured articles.

Indemnity Coverage:

Domestic - Indemnity coverage for domestic Registered Mail is limited to the lesser of (1) the declared value of the articles; (2) the cost of repairs; or (3) the value of the articles at the time of mailing. For additional information about insurance limits and coverage, see *Domestic Mail Manual* S010 and S911 at www.usps.com or ask your local postmaster.

International - Indemnity coverage for international Registered Mail is limited to the maximum set by the Convention of the Universal Postal Union. Ask your postmaster and see the *International Mail Manual* at any post office or at www.usps.com for limitations of coverage and individual country prohibitions and restrictions.

How to File a Claim:

Domestic - For complete or partial loss or damage present (1) this receipt; (2) the article, container, and packaging; and, (3) evidence to substantiate your claim. Please allow at least 30 days after filing to inquire about the status of your claim.

Claims for loss must be filed within 180 days of the date the article was mailed. Make claims for complete or partial loss of contents, damage, or alleged rifling immediately, but no later than 60 days from the date of mailing.

International - Claims for loss must be filed within six months of the date the article was mailed. Claims for damage and complete or partial loss of contents, must be filed immediately. The article, contents, and packaging must be presented to the destination post office.

Save this receipt for Registered Mail claims and inquiries

EXHIBIT B

PRINT YOUR NAME, _____

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box

Alesha Walker, VCST
1000 West St. 17th floor
Brandywine Building Box 391
Wilmington, DE 19801

101-1050-22 0007

[Illegible handwritten text]

EXHIBIT C

YOUNG CONAWAY STARGATT & TAYLOR, LLP

BRUCE M. STARGATT
BEN T. CASTLE
SHELDON N. SANDLER
RICHARD A. LEVINE
RICHARD A. ZAPPA
FREDERICK W. IOBST
RICHARD H. MORSE
DAVID C. MCBRIDE
JOSEPH M. NICHOLSON
CRAIG A. KARSNITZ
BARRY M. WILLOUGHBY
JOSEPH W. INGERSOLL
ANTHONY G. FLYNN
JEROME K. GROSSMAN
EUGENE A. DIPRINZIO
JAMES L. PATTON, JR.
ROBERT L. THOMAS
WILLIAM D. JOHNSTON
TIMOTHY J. SNYDER
BRUCE L. SILVERSTEIN
WILLIAM W. BOWSER
LARRY J. TARABICOS
RICHARD A. DILIBERTO, JR.
MELANIE K. SHARP
CASSANDRA F. ROBERTS
RICHARD J.A. POPPER
TERESA A. CHEEK

NEILLI MULLEN WALSH
JANET Z. CHARLTON
ROBERT S. BRADY
JOEL A. WAITE
BRENT C. SHAFFER
DANIEL P. JOHNSON
CRAIG D. GREAR
TIMOTHY JAY HOUSEAL
MARTIN S. LESSNER
PAULINE K. MORGAN
C. BARR FLINN
NATALIE WOLF
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MICHAEL R. NESTOR
MAUREEN D. LUKE
ROLIN P. BISSELL
SCOTT A. HOLT
JOHN T. DORSEY
M. BLAKE CLEARY
CHRISTIAN DOUGLAS WRIGHT
DANIELLE GIBBS
JOHN J. PASCHETTO
NORMAN M. POWELL

THE BRANDYWINE BUILDING
1000 WEST STREET, 17TH FLOOR
WILMINGTON, DELAWARE 19801

P.O. BOX 391
WILMINGTON, DELAWARE 19899-0391

(302) 571-6600
(800) 253-2234 (DE ONLY)
FAX: (302) 571-1253

110 WEST PINE STREET
P.O. BOX 594
GEORGETOWN, DELAWARE 19947
(302) 856-3571
(800) 255-2234 (DE ONLY)

FAX: (302) 856-9338

WWW.YOUNGCONAWAY.COM

DIRECT DIAL: (302) 571-5001
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kpascale@ycst.com

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JOHN E. TRACEY
MARGARET B. WHITEMAN
SHARON M. ZIEG

SENIOR COUNSEL
CURTIS J. CROWTHER

OF COUNSEL
STUART B. YOUNG
EDWARD B. MAXWELL, 2ND

May 8, 2006

**BY REGISTERED U.S. MAIL
RETURN RECEIPT REQUESTED**

Merial Limited
P.O. Box 327
Sandringham Avenue
Harlow Business Park
Harlow, Essex CM19 5TG
England

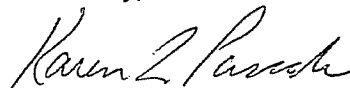
**NOTICE OF SERVICE
PURSUANT TO 10 Del. C. § 3104**

Re: *Intervet Inc. and BTG International Limited v. Merial Limited*,
United States District Court for the District of Delaware,
C.A. No. 05-887-KAJ

Dear Sir/Madam:

Enclosed please find a copy of the summons and complaint in the above-referenced civil action. Service of the original of such summons and complaint has been made upon the Secretary of State of the State of Delaware. Under Title 10 of the Delaware Code, Section 3104, such service is effectual to all intents and purposes as if it had been made upon Merial Limited personally within the State of Delaware.

Sincerely,



Karen L. Pascale
(Delaware Bar No. 2903)

Enclosures

AO 440 (Delaware Rev. 7/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT
District of Delaware

SUMMONS IN A CIVIL CASE

INTERVET INC.

Plaintiffs,

Alias
CASE NUMBER: 05-887

v.

MERIAL LIMITED

Defendant.

TO: (Name and address of defendant)

Merial Limited
P.O. Box 327
Sandringham Avenue
Harlow Business Park
Harlow, Essex CM19 5TG
England

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

John W. Shaw, Esquire
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building
1000 West Street, 17th Floor
P. O. Box 391
Wilmington, DE 19899-0391

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DATE

5/4/06

(By) DEPUTY CLERK

Monica Mosley

AO 440 (Delaware Rev. 7/00) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ⁽¹⁾	DATE <u>MAY 5, 2004</u>	
NAME OF SERVER (PRINT) <u>MARIAN HOGAN</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>Secretary of State of Delaware</u> <u>401 Federal Street Dover DE 19901. summons accepted by Thane Stone at 3:34pm</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>5-5-04</u> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Date</div> <div style="width: 60%;"> <u>Marian Hogan</u> Signature of Server </div> </div> <div style="text-align: center; margin-top: 20px;"> <u>32 Lockman St Ste 109 Dover DE 19904</u> Address of Server </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.